

State of California  
Regional Water Quality Control Board  
San Diego Region

EXECUTIVE OFFICER SUMMARY REPORT  
October 12, 2005

ITEM: 7

SUBJECT: **Public Hearing: Amendment to the *Water Quality Control Plan for the San Diego Basin (9)* to add unnamed or unidentified waterbodies to the beneficial use tables and make water quality objective table corrections (Basin Plan Issue No. 3) (Tentative Resolution No. R9-2005-0239).** (*Linda Parady*).

PURPOSE: The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) will hear public testimony and receive comments on the Tentative Resolution to amend the *Water Quality Control Plan for the San Diego Basin (9)* (Basin Plan). Deliberation and adoption of Tentative Resolution No. R9-2005-0239 is planned for a subsequent public meeting.

PUBLIC NOTICE: Federal Clean Water Act regulations [40 CFR 25.5] require the San Diego Water Board to provide notice of a proposed Basin Plan amendment to all interested persons at least 45 days in advance of the public hearing. The State Water Resources Control Board's California Environmental Quality Act (CEQA) implementation regulations [23 CCR 3777] require the San Diego Water Board to provide to the public a Notice of Filing of a written report on any standard, rule, regulation, or plan proposed for approval or adoption at least 45 days prior to Board action.

The Notice of Public Hearing for this Basin Plan amendment and Notice of Filing of the written technical report (Supporting Document 1) were provided by newspaper publication in the Orange County Register, the San Diego Union Tribune, and the Riverside Press-Enterprise, and by email and regular mail distribution to interested parties on August 29, 2005, 45 days in advance of the public hearing scheduled for October 12, 2005. The Draft Technical Report (Supporting Document 2) and appendices which include Tentative Resolution No. R9-2005-0239 and the Basin Plan amendment language (Supporting Document 2, Appendix 1) have been available for public review on the San Diego Water Board website and at the San Diego Water Board office since August 29, 2005.

## DISCUSSION:

The Basin Plan describes (1) designated beneficial uses of the Region's surface and ground waters; (2) designated water quality objectives for the reasonable protection of those uses; and (3) an implementation plan to achieve the objectives. Water quality standards contained in the Basin Plans provide the foundation for the San Diego Water Board's water quality management programs. Some parts of the Basin Plan require revision to keep it current and accurate with respect to applicable laws, policies, technologies, water quality conditions, and priorities in the Region. This amendment revises Chapters 2, 3, 4, 5, and Appendix A of the Basin Plan to make it consistent with new information and current with laws and regulations passed since 1994. The Basin Plan amendment is the result of an investigation of Issue No. 3 on the *Prioritized List of Basin Plan Issues for Investigation from September 2004 to September 2007* (Attachment 1 to Resolution No. R9-2004-0156) adopted by the San Diego Water Board as part of the 2004 Triennial Review of the Basin Plan. A total of fifty-four (54) revisions are proposed and are summarized in Supporting Document 2, Appendix 5. These revisions are discussed briefly below.

In Chapter 2, 'Beneficial Uses,' the section entitled, 'Preservation of Biological Habitats of Special Biological Significance' (BIOL) is updated. Areas of Special Biological Significance (ASBS) are classified as a subset of State Water Quality Protection Areas (SWQPAs), and areas designated with BIOL beneficial uses are updated. Table 2-2, 'Beneficial Uses of Inland Surface Waters,' and Table 2-4 'Beneficial Uses of Reservoirs and Lakes' respectively, are updated to identify specific names and the beneficial uses for thirteen previously unidentified or unnamed stream segments and two newly constructed reservoirs. Additional changes to Table 2-2 include identifying the name of a watershed and correcting a typographic error. Other changes include adding a footnote to Table 2-3, 'Beneficial Uses of Coastal Water' to clarify the area of a waterbody, and clarifying an endnote in Table 2-5, 'Beneficial Uses of Ground Water.'

In Chapter 3, 'Water Quality Objectives,' clarifications to Table 3-2 endnote d, and Table 3-3 endnotes e and r are made. The updates to Tables 3-4, 3-5, 3-6, 3-7, and 3-8 include prescriptive regulatory changes in Title 22 of the California Code of Regulations (CCR) and spelling corrections. The toluene objective based on the federal Maximum Contaminant Level (MCL) is deleted because it is less stringent than the toluene objective derived from primary MCL established by the Department of Health Services in Title 22 of the California Code of Regulations.

In Chapter 4, 'Implementation' the revisions include spelling corrections.

In Chapter 5, 'Plans and Policies' the section entitled 'Areas of Special Biological Significance' (ASBS) is updated to change the title of the section, recognize ASBS as a subset of SWQPAs, describe the significance of adoption of ASBS to include SWQPAs, and add the Irvine Coast, Orange County, as an ASBS and SWQPA.

In Appendix A, 'Glossary,' changes include adding the definition for ASBS and SWQPA to the section.

KEY ISSUES: 1. This Basin Plan amendment is not controversial. Beneficial uses are assigned to the unnamed and unidentified waterbodies based on established principles. The other revisions to the Basin Plan are either required by law, are prescriptive, or are merely spelling corrections, or text clarifications.

LEGAL CONCERNS: None.

SUPPORTING DOCUMENTS: 1. Notice of Public Hearing and Filing, dated August 24, 2005, and published August 29, 2005.  
2. Draft Technical Report (and appendices) entitled, 'Amendment to the *Water Quality Control Plan for the San Diego Basin (9)* to Add Unnamed or Unidentified Waterbodies to the Beneficial Use Tables and Make Water Quality Objective Table Corrections (Basin Plan Issue No. 3)' dated August 29, 2005.  
Appendix 1. Tentative Resolution No. R9-2005-0239 and Attachment A, Basin Plan Amendment.  
Appendix 2. Maps.  
Appendix 3. Waterbody field notes and/or photographs.  
Appendix 4. Environmental checklist form.  
Appendix 5. Summary of proposed revisions.

RECOMMENDATION: Close the public comment period for this item and consider adoption of Tentative Resolution No. R9-2005-0239 at a subsequent public meeting.